



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAN GIURCA,

Plaintiff,

-against-

MONTEFIORE HEALTH SYSTEM, INC., et  
al.,

Defendants.

18-CV-11505 (ER) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

On August 25, 2020, the parties filed a Stipulation of Dismissal with Prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), dismissing all claims or causes of action that were or could have been asserted herein by any party. (Dkt. No. 100.) The stipulation was signed by the parties, including plaintiff Dan Giurca, M.D., as well as by their counsel.

On September 9, 2020, the Court received a letter from Dr. Giurca, dated September 2 and postmarked September 3, 2020, which asserts that counsel for the defendants engaged in "highly unethical conduct" and that his own counsel engaged in negligence in connection with certain discovery and sanction issues litigated in July and August of this year. *See generally* Dkt. Nos. 82-96. Dr. Giurca requests the Court's "assistance in addressing these very serious ethical violations" but does not otherwise describe the relief, if any, he seeks.

This case having been concluded, and Dr. Giurca having dismissed all claims or causes of action that he asserted or could have asserted herein, this Court lacks jurisdiction to entertain his request. Moreover, plaintiff has at all times been represented by counsel in this action. Even before the dismissal, therefore, the Court would not have entertained an *ex parte* submission from plaintiff acting *pro se*. *See generally Mitchell v. Senkowski*, 2006 WL 3063464, at \*2 (N.D.N.Y. Oct. 26, 2006); *Davidson v. Scully*, 1995 WL 104020, at \*9 (S.D.N.Y. Mar. 8, 1995).

Dr. Giurca's letter will not be filed. It will be forwarded to his counsel of record.

Dated: New York, New York  
September 9, 2020

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read "Barbara Moses".

**BARBARA MOSES**  
United States Magistrate Judge